THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :3588 of 2007

DATED:12-03-2007

BETWEEN:

Kandadi Ramchandrareddy & 2 others.

..... PETITIONERS

AND

The Station House Officer,
Valigonda Police Station,
Nalgonda District & 2 others.

.....RESPONDENTS

ORDER:

Heard the learned counsel for the petitioners; learned Government Pleader for Home; learned Government Pleader for Revenue; and the learned counsel appearing for the respondents.

2. Petitioners seek a writ of mandamus declaring the action of the respondents in interfering with the construction of the house sites of the petitioners under the scheme of 'Indiramma Padhakam' in respect of Sy.No.804/2, situated at Kerchipalli village, Valigonda Mandal, Nalgonda District, as illegal and arbitrary.

3. It is the case of the petitioners that they are the possessors of the property in Sy.No.804/2, situated at Kerchipalli village, Valigonda mandal, Nalgonda District, each admeasuring 44 sq.yards, which is evident from the certificates of possession of residential place issued by the Revenue Divisional Officer/Mandal Revenue Officer, Bhuvanagiri Division/ Mandal Valigonda, dated 27-11-2006. It is stated that as per the said possessary

certificates the petitioners are taking steps to construct houses but the respondents 1 and 2, without any authority of law, are interfering with their construction.

4. 1st respondent filed a counter stating that they are nothing to do with the construction of houses of the petitioners, and they never visited the premises of the petitioners or obstructed the said construction. It is stated that the said certificates of possession of residential place do not bear any proceedings number and they are forged and fabricated and there is no Sy.No.804/2 existing in the said village of Kerchipalli village, Valigonda Mandal, Nalgonda District, and the petitioners are making an attempt to encroach the grama kantam and construct houses.

5. I am not inclined to express any opinion with regard to the genuineness or otherwise of the said certificates. It is always open for the respondents 2 and 3 to take appropriate action in accordance with law to prevent any encroachment or construction in the grama kantam, if the said certificates are not genuine. However, as the police filed counter stating that they are not interfering with or obstructing the construction of the houses, no orders are required to be passed in this Writ Petition.

6. Accordingly, the writ Petition is dismissed. No order as to costs.

V.ESWARAIAH, J

12th March, 2007
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